

James M. Finberg (SBN 114850)  
 Bill Lann Lee (SBN 108452)  
 Lexi J. Hazam (SBN 224457)  
 Chimène I. Keitner (SBN 226948)  
 Nirej S. Sekhon (SBN 213358)  
 LIEFF, CABRASER, HEIMANN &  
 BERNSTEIN, LLP  
 275 Battery Street, 30th Floor  
 San Francisco, CA 94111-3339  
 Telephone: (415) 956-1000  
 Facsimile: (415) 956-1008

JOHN BURRIS (SBN 69888)  
 7677 Oakport Bldg., Suite 1120  
 Oakland, CA 94612  
 Telephone: (510) 839-5210  
 Facsimile: (510) 839-3882

KAY MCKENZIE PARKER (SBN 143140)  
 703 Market Street, Suite 1401  
 San Francisco, CA 94103  
 Telephone: (415) 227-9622  
 Facsimile: (415) 227-4522

WAUKEEN Q. MCCOY (SBN 168228)  
 703 Market Street, Suite 1407  
 San Francisco, CA 94103  
 Telephone: (415) 675-7705  
 Facsimile: (415) 675-2530

*Class Counsel and Counsel for the Plaintiffs*

UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA

DERRICK SATCHELL, KALINI BOYKIN,  
 VALERIE BROWN, RICK GONZALES,  
 CYNTHIA GUERRERO, RACHEL  
 HUTCHINS, TYRONE MERRITT, KELVIN  
 SMITH, SR., and KEN STEVENSON, on  
 behalf of themselves and all others similarly  
 situated,

Plaintiffs,

v.

FEDEX EXPRESS, a Delaware corporation,  
 Defendant.

Todd M. Schneider (SBN 158253)  
 Guy B. Wallace (SBN 176151)  
 Joshua Konecky (SBN 182897)  
 SCHNEIDER & WALLACE  
 180 Montgomery Street, Suite 2000  
 San Francisco, CA 94104  
 Telephone: (415) 421-7100  
 Facsimile: (415) 421-7105

MICHAEL S. DAVIS (SBN 160045)  
 345 Hill Street  
 San Francisco, CA 94109  
 Telephone: (415) 282-4315  
 Facsimile: (415) 358-5576

Case No. C 03-2659 SI; C 03-2878 SI

CLASS ACTION

**STIPULATION AND [PROPOSED]  
 ORDER RE: HEARING ON  
 DEFENDANT'S MOTION TO STAY  
 PROCEEDINGS**

1 The parties to the above captioned actions, through their counsel of record, hereby  
2 stipulate and agree as follows:

3 1. Defendant's Motion to Stay Proceedings, currently scheduled for hearing  
4 on December 9, 2005 at 9:00 a.m., will be heard at the Case Management Conference scheduled  
5 for November 18, 2005 at 2:30 p.m.

6 2. Plaintiffs will file their Opposition to Defendant's Motion by October 28,  
7 2005.

8 3. Defendant will file its Reply by November 4, 2005.

9  
10 Dated: October 26, 2004

LIEFF, CABRASER, HEIMANN & BERNSTEIN, LLP

11  
12 By: /s/ James M. Finberg  
James M. Finberg

13 *Class Counsel and Counsel for the Plaintiffs*

14 Dated: October 26, 2005

SEYFARTH & SHAW LLP

15  
16 By: /s/ Gilmore F. Diekmann, Jr.  
Gilmore F. Diekmann, Jr.

17 Gilmore F. Diekmann, Jr. (SBN 050400)  
18 560 Mission Street, Suite 3100  
San Francisco, CA 94105  
19 Telephone: (415) 397-2823  
Facsimile: (415) 397-8549

20 *Attorneys for Defendant FEDEX EXPRESS*

21  
22 **ORDER**

23  
24 The foregoing is stipulated and approved and is so **ORDERED**.

25  
26 Dated: 10/31/05

